



General Assembly

January Session, 2017

Amendment

LCO No. 7513



Offered by:

SEN. LEONE, 27th Dist.

REP. BARAM, 15th Dist.

To: Subst. Senate Bill No. 826

File No. 206

Cal. No. 130

"AN ACT MAKING CHANGES TO DEPARTMENT OF CONSUMER PROTECTION STATUTES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 21a-7 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2017*):

5 (a) Each board or commission within the Department of Consumer
6 Protection under section 21a-6 shall have the following powers and
7 duties:

8 (1) Each board or commission shall exercise its statutory functions,
9 including licensing, certification, registration, accreditation of schools
10 and the rendering of findings, orders and adjudications. [Any] With
11 the exception of the Liquor Control Commission, any exercise of such
12 functions by such a board or commission that is adverse to a party
13 shall be a proposed decision and subject to approval, modification or

14 rejection by the commissioner.

15 (2) Each board or commission may, in its discretion, issue (A) an
16 appropriate order to any person found to be violating an applicable
17 statute or regulation providing for the immediate discontinuance of
18 the violation, (B) an order requiring the violator to make restitution for
19 any damage caused by the violation, or (C) both. Each board or
20 commission may, through the Attorney General, petition the superior
21 court for the judicial district wherein the violation occurred, or
22 wherein the person committing the violation resides or transacts
23 business, for the enforcement of any order issued by it and for
24 appropriate temporary relief or a restraining order and shall certify
25 and file in the court a transcript of the entire record of the hearing or
26 hearings, including all testimony upon which such order was made
27 and the findings and orders made by the board or commission. The
28 court may grant such relief by injunction or otherwise, including
29 temporary relief, as it deems equitable and may make and enter a
30 decree enforcing, modifying and enforcing as so modified, or setting
31 aside, in whole or in part, any order of a board or commission.

32 (3) Each board or commission may conduct hearings on any matter
33 within its statutory jurisdiction. Such hearings shall be conducted in
34 accordance with chapter 54 and the regulations established pursuant to
35 subsection (a) of section 21a-9. In connection with any such hearing,
36 the board or commission may administer oaths, issue subpoenas,
37 compel testimony and order the production of books, records and
38 documents. If any person refuses to appear, testify or produce any
39 book, record or document when so ordered, a judge of the Superior
40 Court may make such order as may be appropriate to aid in the
41 enforcement of this section.

42 (4) Each board or commission may request the Commissioner of
43 Consumer Protection to conduct an investigation and to make findings
44 and recommendations regarding any matter within the statutory
45 jurisdiction of the board or commission.

46 (5) Each board or commission may recommend rules and
47 regulations for adoption by the Commissioner of Consumer Protection
48 and may review and comment upon proposed rules and regulations
49 prior to their adoption by said commissioner.

50 (6) Each board or commission shall meet at least once in each
51 quarter of a calendar year and at such other times as the chairperson or
52 the Commissioner of Consumer Protection deems necessary. A
53 majority of the members shall constitute a quorum, except that for any
54 examining board, forty per cent of the members shall constitute a
55 quorum. Any member who fails to attend three consecutive meetings
56 or who fails to attend fifty per cent of all meetings during any calendar
57 year shall be deemed to have resigned from office. Members of boards
58 or commissions shall not serve for more than two consecutive full
59 terms which commence on or after July 1, 1982, except that if no
60 successor has been appointed or approved, such member shall
61 continue to serve until a successor is appointed or approved. Members
62 shall not be compensated for their services but shall be reimbursed for
63 necessary expenses incurred in the performance of their duties.

64 (7) In addition to any other action permitted under the general
65 statutes, each board or commission may, upon a finding of any cause
66 specified in subsection (c) of section 21a-9: (A) Revoke or suspend a
67 license, registration or certificate; (B) issue a letter of reprimand to a
68 practitioner and send a copy of such letter to a complainant or to a
69 state or local official; (C) place a practitioner on probationary status
70 and require the practitioner to (i) report regularly to the board or
71 commission on the matter which is the basis for probation, (ii) limit the
72 practitioner's practice to areas prescribed by the board or commission,
73 or (iii) continue or renew the practitioner's education until the
74 practitioner has attained a satisfactory level of competence in any area
75 which is the basis for probation. Each board or commission may
76 discontinue, suspend or rescind any action taken under this
77 subsection.

78 (8) Each examining board within the Department of Consumer

79 Protection or the Commissioner of Consumer Protection shall conduct
80 any hearing or other action required for an application submitted
81 pursuant to section 20-333 and any completed renewal application
82 submitted pursuant to section 20-335 not later than (A) thirty days
83 after the date of submission for such application or completed renewal
84 application, as applicable, or (B) a period of time deemed appropriate
85 by the Commissioner of Consumer Protection, but not to exceed sixty
86 days after such date of submission.

87 (b) [Each] With the exception of the Liquor Control Commission,
88 each board or commission within the Department of Consumer
89 Protection under section 21a-6 that makes a proposed final decision
90 that is adverse to a party as described in subdivision (1) of subsection
91 (a) of this section, shall submit such proposed decision to the
92 Commissioner of Consumer Protection. Not later than thirty calendar
93 days after receipt of any such proposed decision, the Commissioner of
94 Consumer Protection shall notify such board or commission that the
95 commissioner shall render the final decision concerning such matter.
96 Not later than thirty days after receipt of any such proposed decision,
97 the commissioner shall approve, modify or reject the proposed
98 decision or remand the proposed decision for further review or for the
99 taking of additional evidence. The commissioner shall notify the board
100 or commission in writing of the commissioner's decision and include
101 in such notification the rationale for such decision. The decision of the
102 commissioner shall be the final decision in accordance with section 4-
103 180 for purposes of reconsideration in accordance with section 4-181a
104 or appeal to the Superior Court in accordance with section 4-183. |

105 Sec. 2. Subsection (a) of section 21a-8 of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective July*
107 *1, 2017*):

108 (a) The Department of Consumer Protection shall have the
109 following powers and duties with regard to each board or commission
110 transferred to the Department of Consumer Protection under section
111 21a-6, except for the Liquor Control Commission:

112 (1) The department shall control the allocation, disbursement and
113 budgeting of funds appropriated to the department for the operation
114 of each board or commission transferred to said department.

115 (2) The department shall employ and assign such personnel as the
116 commissioner deems necessary for the performance of each board's or
117 commission's functions.

118 (3) The department shall perform all management functions,
119 including purchasing, bookkeeping, accounting, payroll, secretarial,
120 clerical, record-keeping and routine housekeeping functions.

121 (4) The department shall conduct any necessary review, inspection
122 or investigation regarding qualifications of applicants for licenses or
123 certificates, possible violations of statutes or regulations, accreditation
124 of schools, disciplinary matters and the establishment of regulatory
125 policy, and make recommendations to the appropriate board or
126 commission. In connection with any such investigation, the
127 Commissioner of Consumer Protection, or the commissioner's
128 authorized agent, may administer oaths, issue subpoenas, compel
129 testimony and order the production of books, records and documents.
130 If any person refuses to appear, to testify or to produce any book,
131 record or document when so ordered, a judge of the Superior Court
132 may make such order as may be appropriate to aid in the enforcement
133 of this section.

134 (5) The department shall administer any examinations necessary to
135 ascertain the qualifications of applicants for licenses or certificates and
136 shall issue licenses or certificates to qualified applicants. The
137 department shall maintain rosters of licensees or registrants and
138 update such rosters annually, and may provide copies of such rosters
139 to the public for an appropriate fee.

140 (6) The department shall conduct any necessary investigation and
141 follow-up in connection with complaints regarding persons subject to
142 regulation or licensing by the board or commission.

143 (7) The department shall perform any other function necessary to
144 the effective operation of the board or commission.

145 (8) The department shall receive complaints concerning the work
146 and practices of persons licensed, registered or certified by such boards
147 or commissions and shall receive complaints concerning unauthorized
148 work and practice by persons not licensed, registered or certified by
149 such boards or commissions. The department shall distribute quarterly
150 a list of all complaints received within the previous quarter to the
151 chairperson of the appropriate board or commission. The department
152 shall screen all complaints and dismiss any in which the allegation, if
153 substantiated, would not constitute a violation of any statute or
154 regulation. The department shall distribute notice of all such
155 dismissals monthly to the chairperson of the appropriate board or
156 commission. The department shall investigate any complaint in which
157 the allegation, if substantiated, would constitute a violation of a statute
158 or regulation under its jurisdiction. In conducting the investigation, the
159 commissioner may seek the assistance of a member of the appropriate
160 board, an employee of any state agency with expertise in the area, or if
161 no such member or employee is available, a person from outside state
162 service licensed to perform the work involved in the complaint. Board
163 or commission members involved in an investigation shall not
164 participate in disciplinary proceedings resulting from such
165 investigation. The Commissioner of Consumer Protection may dismiss
166 a complaint following an investigation if the commissioner determines
167 that such complaint lacks probable cause. The commissioner may
168 bring a complaint before the appropriate board or commission for a
169 formal hearing if the commissioner determines that there is probable
170 cause to believe that the offense alleged in the complaint has been
171 committed and that the practitioner named in the complaint was
172 responsible. The commissioner, or the commissioner's authorized
173 agent, shall have the power to issue subpoenas to require the
174 attendance of witnesses or the production of records, correspondence,
175 documents or other evidence in connection with any hearing of a
176 board or commission.

177 (9) The department may contract with a third party, if the
178 commissioner deems it necessary, to administer licensing examinations
179 and perform all attendant administrative functions in connection with
180 such examination and to monitor continuing professional education
181 requirements, and may require the payment of a fee to such third
182 party.

183 Sec. 3. Subsection (a) of section 30-17 of the general statutes is
184 repealed and the following is substituted in lieu thereof (*Effective July*
185 *1, 2017*):

186 (a) (1) A wholesaler permit shall allow the bottling of alcoholic
187 liquor and the wholesale sale of alcoholic liquor to permittees in this
188 state and without the state, as may be permitted by law, and the sale of
189 alcoholic liquors to vessels engaged in coastwise or foreign commerce,
190 and the sale of alcohol and alcoholic liquor for industrial purposes to
191 nonpermittees, such sales to be made in accordance with the
192 regulations adopted by the Department of Consumer Protection, and
193 the sale of alcohol and alcoholic liquor for medicinal purposes to
194 hospitals and charitable institutions and to religious organizations for
195 sacramental purposes and the receipt from out-of-state shippers of
196 multiple packages of alcoholic liquor. The holder of a wholesaler
197 permit may apply for and shall thereupon receive an out-of-state
198 shipper's permit for direct importation from abroad of alcoholic
199 liquors manufactured outside the United States and an out-of-state
200 shipper's permit for direct importation from abroad of beer
201 manufactured outside the United States. The annual fee for a
202 wholesaler permit shall be two thousand six hundred fifty dollars.

203 (2) When a holder of a wholesaler permit has had the
204 distributorship of any alcohol, beer, spirits or wine product of a
205 manufacturer or out-of-state shipper for six months or more, such
206 distributorship may be terminated or its geographic territory
207 diminished upon (A) the execution of a written stipulation by the
208 wholesaler and manufacturer or out-of-state shipper agreeing to the
209 change and the approval of such change by the Department of

210 Consumer Protection; or (B) the sending of a written notice by certified
211 or registered mail, return receipt requested, by the manufacturer or
212 out-of-state shipper to the wholesaler, a copy of which notice has been
213 sent simultaneously by certified or registered mail, return receipt
214 requested, to the Department of Consumer Protection. No such
215 termination or diminishment shall become effective except for just and
216 sufficient cause, provided such cause shall be set forth in such notice
217 and the Department of Consumer Protection shall determine, after
218 hearing, that just and sufficient cause exists. If an emergency occurs,
219 caused by the wholesaler, prior to such hearing, which threatens the
220 manufacturers' or out-of-state shippers' products or otherwise
221 endangers the business of the manufacturer or out-of-state shipper and
222 said emergency is established to the satisfaction of the Department of
223 Consumer Protection, the department may temporarily suspend such
224 wholesaler permit or take whatever reasonable action the department
225 deems advisable to provide for such emergency and the department
226 may continue such temporary action until its decision after a full
227 hearing. The Department of Consumer Protection shall render its
228 decision with reasonable promptness following such hearing.
229 Notwithstanding the aforesaid, a manufacturer or out-of-state shipper
230 may appoint one or more additional wholesalers as the distributor for
231 an alcohol, spirits or wine product within such territory, provided
232 such appointment shall not be effective until six months from the date
233 such manufacturer or out-of-state shipper sets forth such intention in
234 written notice to the existing wholesaler by certified or registered mail,
235 return receipt requested, with a copy of such notice simultaneously
236 sent by certified or registered mail, return receipt requested, to the
237 Department of Consumer Protection. For just and sufficient cause, a
238 manufacturer or out-of-state shipper may appoint one or more
239 additional wholesalers as the distributor for a beer product within
240 such territory provided such manufacturer or out-of-state shipper sets
241 forth such intention and cause in written notice to the existing
242 wholesaler by certified or registered mail, return receipt requested,
243 with a copy of such notice simultaneously sent by certified or
244 registered mail, return receipt requested, to the Department of

245 Consumer Protection. For the purposes of this section, "just and
246 sufficient cause" means the existence of circumstances which, in the
247 opinion of a reasonable person considering all of the equities of both
248 the wholesaler and the manufacturer or out-of-state shipper warrants a
249 termination or a diminishment of a distributorship as the case may be.
250 For the purposes of this section, "manufacturer or out-of-state shipper"
251 means the manufacturer or out-of-state shipper who originally granted
252 a distributorship of any alcohol, beer, spirits or wine product to a
253 wholesaler, any successor to such manufacturer or out-of-state shipper,
254 which successor has assumed the contractual relationship with such
255 wholesaler by assignment or otherwise, or any other manufacturer or
256 out-of-state shipper who acquires the right to ship such alcohol, beer,
257 spirits or wine into the state.

258 (3) Nothing contained herein shall be construed to interfere with the
259 authority of the Department of Consumer Protection to retain or adopt
260 reasonable regulations concerning the termination or diminishment of
261 a distributorship held by a wholesaler for less than six months.

262 (4) All hearings held hereunder shall be held in accordance with the
263 provisions of chapter 54.

264 Sec. 4. Section 20-312 of the general statutes, as amended by section
265 103 of public act 16-97, is repealed and the following is substituted in
266 lieu thereof (*Effective July 1, 2017*):

267 (a) No person shall act as a real estate broker or real estate
268 salesperson without a license issued by the commission or the
269 Commissioner of Consumer Protection, unless exempt under this
270 chapter. The Commissioner of Consumer Protection may enter into
271 any contract for the purpose of administratively processing the
272 renewal of licenses on behalf of the commission.

273 (b) The practice of or the offer to practice real estate brokerage
274 business in this state by individual licensed real estate brokers or real
275 estate salespersons as a corporation, limited liability company, [or]
276 partnership or limited liability partnership, a material part of the

277 business of which includes real estate brokerage, is permitted,
278 provided (1) the personnel of such corporation, limited liability
279 company, [or] partnership or limited liability partnership who engage
280 in the real estate brokerage business as real estate brokers or real estate
281 salespersons, and the real estate brokers whose ownership, control,
282 membership or partnership interest is credited toward the
283 requirements of subdivision (3) of this subsection, are licensed or
284 exempt from licensure under this chapter, (2) the corporation, limited
285 liability company, [or] partnership or limited liability partnership has
286 been issued a real estate broker license by the commission as provided
287 in this section and has paid the license or renewal fee required for a
288 real estate broker's license as set forth in section 20-314, and (3) except
289 for a publicly traded corporation (A) with respect to a corporation
290 other than a nonstock corporation, one or more real estate brokers own
291 or control fifty-one per cent or more of the total issued shares of the
292 corporation, (B) with respect to a nonstock corporation, one or more
293 real estate brokers constitute at least fifty-one per cent of the members
294 of the nonstock corporation, (C) with respect to a limited liability
295 company, one or more real estate brokers own or control at least fifty-
296 one per cent of the interest in the limited liability company, as defined
297 in section 34-243a, or (D) with respect to a partnership or limited
298 liability partnership, one or more real estate brokers' partnership
299 interest, as defined in section 34-301, constitutes at least fifty-one per
300 cent of the total partnership interest. No such corporation, limited
301 liability company, [or] partnership or limited liability partnership shall
302 be relieved of responsibility for the conduct or acts of its agents,
303 employees or officers by reason of its compliance with this section, nor
304 shall any individual practicing real estate brokerage be relieved of
305 responsibility for real estate services performed by reason of the
306 individual's employment or relationship with such corporation,
307 limited liability company, [or] partnership or limited liability
308 partnership. The Real Estate Commission may refuse to authorize the
309 issuance or renewal of a license if any facts exist that would entitle the
310 commission to suspend or revoke an existing license.

311 (c) A corporation, limited liability company, [or] partnership or
312 limited liability partnership desiring a real estate broker license shall
313 file with the commission or the commissioner an application on such
314 forms and in such manner as prescribed by the Department of
315 Consumer Protection. Each such corporation, limited liability
316 company, [or] partnership or limited liability partnership shall file
317 with the commission a designation of at least one individual licensed
318 or qualified to be licensed as a real estate broker in this state who shall
319 be in charge of the real estate brokerage business of such corporation,
320 limited liability company, [or] partnership or limited liability
321 partnership in this state. Such corporation, limited liability company,
322 [or] partnership or limited liability partnership shall notify the
323 commission of any change in such designation not later than thirty
324 days after such change becomes effective.

325 (d) The Real Estate Commission may impose a fine of not more than
326 one thousand dollars on any corporation, limited liability company,
327 [or] partnership or limited liability partnership that engages in real
328 estate business without a license required by this section. Any such
329 imposition of a fine by the commission shall be a proposed final
330 decision and submitted to the commissioner in accordance with the
331 provisions of subsection (b) of section 21a-7, as amended by this act.

332 Sec. 5. Section 21a-150f of the general statutes is repealed and the
333 following is substituted in lieu thereof (*Effective July 1, 2017*):

334 (a) A bottler shall process and package any water bottled for sale, in
335 accordance with 21 CFR 110, 21 CFR 117, 21 CFR 129 and any
336 regulation adopted in accordance with the provisions of sections 21a-
337 150 to 21a-150j, inclusive.

338 (b) No bottler shall process or bottle water using any line or
339 equipment through which anything other than water from an
340 approved source is passed, except that a bottler who bottles or
341 processes water by using any such line or equipment, as of October 1,
342 1986, may continue to bottle water in such manner provided such

343 bottled water complies with the bottled water quality standards set
344 forth in 21 CFR 165.110 and 21 USC 342 and provided, in the event
345 such bottler renovates a bottling production process or expands
346 operations, such bottler shall establish a dedicated line for the
347 processing of bottled water only. |

348 Sec. 6. Section 21a-11 of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective July 1, 2017*):

350 (a) The Commissioner of Consumer Protection may, subject to the
351 provisions of chapter 67, employ such agents and assistants as are
352 necessary to enforce the provisions of the general statutes wherein said
353 commissioner is empowered to carry out the duties and
354 responsibilities assigned to him or his department. For the purpose of
355 inquiring into any suspected violation of such provisions, the
356 commissioner and his deputy and assistants shall have free access, at
357 all reasonable hours, to all places and premises, homes and apartments
358 of private families keeping no boarders excepted.

359 (b) On the tender of the market price, the commissioner or his
360 deputy may take from any person, firm or corporation samples of any
361 article which he suspects is sold, offered for sale, kept with intent to
362 sell, made or manufactured contrary to any provision of this chapter or
363 related chapters under the jurisdiction of said commissioner. He may
364 analyze such samples or have them analyzed by a state chemist or by
365 an experiment station or by the laboratories of the Department of
366 Public Health, and a sworn or affirmed certificate by such analyst shall
367 be prima facie evidence of the ingredients and constituents of the
368 samples analyzed. If such analysis shows that any such sample does
369 not conform to the requirements of law, and gives the commissioner or
370 his deputy reasonable grounds for believing that any provision of this
371 chapter or related chapters under his jurisdiction has been violated, he
372 shall cause such violator to be prosecuted. Any person who refuses the
373 access provided for herein to the commissioner, his deputy or
374 assistants, or who refuses to sell the samples provided for herein, shall
375 be guilty of a class D misdemeanor. Evidence of violation of any

376 provision of this section shall be prima facie evidence of wilful
377 violation.

378 (c) The commissioner may, subject to the provisions of chapter 54,
379 | revoke, suspend or deny any license or registration issued by the
380 department in the event that such licensee or registrant, including, but
381 not limited to, an owner of any business entity holding such license or
382 registration, owes moneys to any guaranty fund or account maintained
383 or used by the department, including, but not limited to, the Home
384 Improvement Guaranty Fund established pursuant to section 20-432,
385 the New Home Construction Guaranty Fund established pursuant to
386 section 20-417i, the Connecticut Health Club Guaranty Fund
387 established pursuant to section 21a-226, the Real Estate Guaranty Fund
388 established pursuant to section 20-324a and the privacy protection
389 guaranty and enforcement account established pursuant to section 42-
390 472a.

391 Sec. 7. Section 20-571 of the general statutes is repealed and the
392 following is substituted in lieu thereof (*Effective July 1, 2017*):

393 | As used in sections 20-570 to 20-630, inclusive, unless the context
394 otherwise requires:

395 (1) "Administer" means the direct application of a drug or device to
396 the body of a patient or research subject by injection, inhalation,
397 ingestion or any other means;

398 (2) "Care-giving institution" means an institution that provides
399 medical services and is licensed, operated, certified or approved by the
400 Commissioner of Public Health, the Commissioner of Developmental
401 Services or the Commissioner of Mental Health and Addiction
402 Services;

403 (3) "Commission" means the Commission of Pharmacy appointed
404 under the provisions of section 20-572;

405 (4) "Commissioner" means the Commissioner of Consumer

406 Protection;

407 (5) "Compound" means to combine, mix or put together two or
408 more ingredients pursuant to a prescription and includes the
409 preparation of drugs or devices in anticipation of prescriptions based
410 on routine, regularly-observed prescribing patterns;

411 (6) "Correctional or juvenile training institution" means a facility for
412 the detention or incarceration of persons convicted or accused of
413 crimes or offenses or for training of delinquent juveniles, including
414 those state facilities under the jurisdiction of the Commissioner of
415 Correction, training schools for delinquent juveniles and any other
416 facilities operated by the state or municipalities for such detention,
417 incarceration or training;

418 (7) "Device" means instruments, apparatuses and contrivances,
419 including their components, parts and accessories, intended (A) for use
420 in the diagnosis, cure, mitigation, treatment or prevention of disease in
421 humans or other animals, or (B) to affect the structure or any function
422 of the body of humans or other animals, but does not mean contact
423 lenses;

424 (8) "Department" means the Department of Consumer Protection;

425 (9) "Dispense" means those acts of processing a drug or device for
426 delivery or for administration for a patient pursuant to a prescription
427 consisting of: (A) Comparing the directions on the label with the
428 directions on the prescription to determine accuracy; (B) the selection
429 of the drug or device from stock to fill the prescription; (C) the
430 counting, measuring, compounding or preparation of the drug or
431 device; (D) the placing of the drug or device in the proper container;
432 (E) the affixing of the label to the container; and (F) the addition to a
433 written prescription of any required notations. "Dispense" does not
434 include the acts of delivering a drug or device to a patient or of
435 administering the drug or device to the patient;

436 (10) "Dispensing outpatient facility" means a facility operated by a

437 corporation or municipality which provides medical services to
438 patients on an outpatient basis and which maintains stocks of drugs
439 for dispensing of drugs on a regular basis to patients for use off the
440 premises;

441 (11) "Drug" means (A) an article recognized in the official United
442 States Pharmacopoeia, official Homeopathic Pharmacopoeia of the
443 United States or official National Formulary, or any supplement to any
444 of them, (B) an article intended for use in the diagnosis, cure,
445 mitigation, treatment or prevention of disease in humans or other
446 animals, (C) an article, other than food, intended to affect the structure
447 or any function of the body of humans or any other animal, and (D) an
448 article intended for use as a component of any article specified in this
449 subdivision, but does not include a device;

450 (12) "Institutional pharmacy" means that area within a care-giving
451 institution or within a correctional or juvenile training institution,
452 commonly known as the pharmacy, that is under the direct charge of a
453 pharmacist and in which drugs are stored and dispensed;

454 (13) "Legend device" means a device that is required by applicable
455 federal or state law to be dispensed pursuant only to a prescription or
456 is restricted to use by prescribing practitioners only or that, under
457 federal law, is required to bear either of the following legends: (A) "RX
458 ONLY" IN ACCORDANCE WITH GUIDELINES ESTABLISHED IN
459 THE FEDERAL FOOD, DRUG AND COSMETIC ACT; or (B)
460 "CAUTION: FEDERAL LAW RESTRICTS THIS DEVICE FOR USE BY
461 OR ON THE ORDER OF A LICENSED VETERINARIAN.";

462 (14) "Legend drug" means a drug that is required by any applicable
463 federal or state law to be dispensed pursuant only to a prescription or
464 is restricted to use by prescribing practitioners only, or means a drug
465 that, under federal law, is required to bear either of the following
466 legends: (A) "RX ONLY" IN ACCORDANCE WITH GUIDELINES
467 ESTABLISHED IN THE FEDERAL FOOD, DRUG AND COSMETIC
468 ACT; or (B) "CAUTION: FEDERAL LAW RESTRICTS THIS DRUG

469 FOR USE BY OR ON THE ORDER OF A LICENSED
470 VETERINARIAN.";

471 (15) "Medical device and oxygen provider" means a person who
472 distributes devices or oxygen pursuant to a medical order or
473 prescription, except if such person already maintains an active
474 pharmacy license;

475 [(15)] (16) "Nonlegend drug" means a drug that is not a legend drug;

476 [(16)] (17) "Person" means an individual, corporation, business trust,
477 estate trust, partnership, association, joint venture or any other legal or
478 commercial entity;

479 [(17)] (18) "Pharmacist" means an individual who is licensed to
480 practice pharmacy under the provisions of section 20-590, 20-591, 20-
481 592 or 20-593, and who is thereby recognized as a health care provider
482 by the state of Connecticut;

483 [(18)] (19) "Pharmacy" means a place of business where drugs and
484 devices may be sold at retail and for which a pharmacy license has
485 been issued to an applicant under the provisions of section 20-594;

486 [(19)] (20) "Pharmacy intern" means an individual registered under
487 the provisions of section 20-598;

488 [(20)] (21) "Pharmacy technician" means an individual who is
489 registered with the department and qualified in accordance with
490 section 20-598a;

491 [(21)] (22) "Practice of pharmacy" or "to practice pharmacy" means
492 the sum total of knowledge, understanding, judgments, procedures,
493 securities, controls and ethics used by a pharmacist to assure optimal
494 safety and accuracy in the distributing, dispensing and use of drugs
495 and devices;

496 [(22)] (23) "Prescribing practitioner" means an individual licensed by
497 the state of Connecticut, any other state of the United States, the

498 District of Columbia, the Commonwealth of Puerto Rico or any
499 territory or insular possession subject to the jurisdiction of the United
500 States who is authorized to issue a prescription within the scope of the
501 individual's practice;

502 [(23)] (24) "Prescription" means a lawful order of a prescribing
503 practitioner transmitted either orally, in writing or by electronic means
504 for a drug or device for a specific patient;

505 [(24)] (25) "Sale" includes barter, exchange or gift or offer and each
506 such transaction made by a person whether as principal proprietor,
507 agent, servant or employee; [and]

508 [(25)] (26) "Substitute" means to dispense without the prescribing
509 practitioner's express authorization a different drug product than the
510 drug product prescribed; [.]

511 (27) "Third-party logistics provider" means a person who distributes
512 drugs, devices or cosmetics while taking possession of the drugs,
513 devices or cosmetics but who does not take title of the drugs, devices
514 or cosmetics;

515 (28) "Virtual manufacturer" means a person who engages in the
516 manufacture of drugs, devices or cosmetics for which such person: (A)
517 Owns the new drug application or abbreviated new drug application
518 number, if a prescription drug; (B) owns the unique device
519 identification number, as available, for a prescription device; (C)
520 contracts with a contract manufacturing organization for the physical
521 manufacture of the drugs, devices or cosmetics; (D) is not involved in
522 the physical manufacture of the drugs, devices or cosmetics; and (E) at
523 no time takes physical possession of or stores the drugs, devices or
524 cosmetics; and

525 (29) "Virtual wholesale distributor" means a person who facilitates
526 or brokers the transfer of drugs, devices or cosmetics without taking
527 physical possession of the drugs, devices or cosmetics.

528 Sec. 8. Section 21a-70 of the general statutes is repealed and the
529 following is substituted in lieu thereof (*Effective July 1, 2017*):

530 (a) As used in this section: (1) ["Wholesaler"] "Drugs", "devices" and
531 "cosmetics" have the same meanings as defined in section 21a-92,
532 "wholesaler" or "distributor" means a person, including, but not
533 limited to, a medical device and oxygen provider, a third-party
534 logistics provider, a virtual manufacturer or a virtual wholesale
535 distributor, as such terms are defined in section 20-571, as amended by
536 this act, whether within or without the boundaries of the state of
537 Connecticut, who supplies drugs, [medical] devices or cosmetics
538 prepared, produced or packaged by manufacturers, to other
539 wholesalers, manufacturers, distributors, hospitals, prescribing
540 practitioners, as defined in subdivision (22) of section 20-571, as
541 amended by this act, pharmacies, federal, state or municipal agencies,
542 clinics or any other person as permitted under subsection (h) of this
543 section, except that: (A) A retail pharmacy or a pharmacy within a
544 licensed hospital that supplies to another such pharmacy a quantity of
545 a noncontrolled drug or a schedule II, III, IV or V controlled substance
546 normally stocked by such pharmacies to provide for the immediate
547 needs of a patient pursuant to a prescription or medication order of an
548 authorized practitioner, (B) a pharmacy within a licensed hospital that
549 supplies drugs to another hospital or an authorized practitioner for
550 research purposes, (C) a retail pharmacy that supplies a limited
551 quantity of a noncontrolled drug or of a schedule II, III, IV or V
552 controlled substance for emergency stock to a practitioner who is a
553 medical director of a chronic and convalescent nursing home, of a rest
554 home with nursing supervision or of a state correctional institution,
555 and (D) a pharmacy within a licensed hospital that contains another
556 hospital wholly within its physical structure that supplies to such
557 contained hospital a quantity of a noncontrolled drug or a schedule II,
558 III, IV, or V controlled substance normally stocked by such hospitals to
559 provide for the needs of a patient, pursuant to a prescription or
560 medication order of an authorized practitioner, receiving inpatient care
561 on a unit that is operated by the contained hospital shall not be

562 deemed a wholesaler under this section; (2) "manufacturer" means (A)
563 a person, whether within or without the boundaries of the state of
564 Connecticut, who produces, prepares, cultivates, grows, propagates,
565 compounds, converts or processes, directly or indirectly, by extraction
566 from substances of natural origin or by means of chemical synthesis or
567 by a combination of extraction and chemical synthesis, or who
568 packages, repackages, labels or relabels a container under such
569 manufacturer's own or any other trademark or label any drug, device
570 or cosmetic for the purpose of selling such items, or (B) a sterile
571 compounding pharmacy, as defined in section 20-633b, as amended by
572 this act, that dispenses sterile pharmaceuticals without a prescription
573 or a patient-specific medical order; (3) "drug", "device" and "cosmetic"
574 have the same meanings as provided in section 21a-92; and (4)
575 "commissioner" means the Commissioner of Consumer Protection or
576 his or her designee.

577 (b) No wholesaler or manufacturer shall operate as such until he has
578 received a certificate of registration issued by the commissioner, which
579 certificate shall be renewed annually, provided no such certificate shall
580 be required of a manufacturer, except a sterile compounding
581 pharmacy, as defined in subsection (a) of section 20-633b, as amended
582 by this act, whose principal place of business is located outside the
583 state, who is registered with the federal Food and Drug
584 Administration or any successor agency and who files a copy of such
585 registration with the commissioner. A fee of one hundred ninety
586 dollars shall be charged for each wholesaler's certificate and renewal
587 thereof. A separate certificate and corresponding fee is required for
588 each location existing in this state and for each location existing
589 outside of this state that distributes products into this state. The fee for
590 a manufacturer's certificate and renewal thereof shall be two hundred
591 eighty-five dollars for manufacturers employing not more than five
592 licensed pharmacists or qualified chemists or both; three hundred
593 seventy-five dollars for manufacturers employing not more than ten
594 licensed pharmacists or qualified chemists or both; and nine hundred
595 forty dollars for manufacturers employing more than ten licensed

596 pharmacists or qualified chemists or both. No such certificate shall be
597 issued to a manufacturer unless such drugs, [medical] devices or
598 cosmetics are manufactured or compounded under the direct
599 supervision of a licensed pharmacist or a qualified chemist. No
600 certificate of registration shall be issued under this section until the
601 applicant has furnished proof satisfactory to the commissioner that the
602 applicant is equipped as to facilities and apparatus to properly carry
603 on the business described in his application and that the applicant
604 conforms to chapter 418 and regulations adopted thereunder.

605 (c) The commissioner shall have the right to deny a certificate of
606 registration if he determines that the issuance of such registration is
607 inconsistent with the public interest. In determining the public interest,
608 the commissioner shall consider, at a minimum, the following factors:

609 (1) Any convictions or regulatory actions involving the applicant
610 under any federal, state or local law relating to drug samples,
611 wholesale or retail drug distribution, or distribution or possession of
612 drugs including controlled substances;

613 (2) Any felony convictions of the applicant under federal, state or
614 local laws;

615 (3) The applicant's past experience in the manufacture or
616 distribution of drugs;

617 (4) The furnishing by the applicant of false or fraudulent material in
618 any application made in connection with drug manufacturing or
619 distribution;

620 (5) Suspension, revocation or other sanction by federal, state or local
621 government of any license or registration currently or previously held
622 by the applicant for the manufacture or distribution of any drugs;

623 (6) Compliance with licensing or registration requirements under
624 previously granted licenses or registrations;

625 (7) Compliance with requirements to maintain or make available to

626 the commissioner or to federal, state or local law enforcement officials
627 those records required by any federal or state statute or regulation;

628 (8) Failure to provide adequate control against the diversion, theft
629 and loss of drugs;

630 (9) Provision of required security for legend drugs and, in the case
631 of controlled substances, compliance with security requirements for
632 wholesalers set forth in regulations adopted under chapter 420b; and

633 (10) Compliance with all regulations adopted to enforce the
634 provisions of this section.

635 (d) The commissioner may suspend, revoke or refuse to renew a
636 registration, or may issue a letter of reprimand or place a registrant on
637 probationary status, for sufficient cause. Any of the following shall be
638 sufficient cause for such action:

639 (1) The furnishing of false or fraudulent information in any
640 application or other document filed with the commissioner;

641 (2) Any criminal conviction of the registrant under any federal or
642 state statute concerning drugs;

643 (3) The suspension, revocation or other restriction or penalty issued
644 against a license or registration related to drugs;

645 (4) Failure to provide adequate control against the diversion, theft
646 and loss of drugs; or

647 (5) A violation of any provision of any federal or state statute or
648 regulation concerning drugs.

649 (e) Wholesalers and manufacturers shall operate in compliance with
650 applicable federal, state and local statutes, regulations and ordinances,
651 including any applicable laws concerning controlled substances, drug
652 product salvaging or reprocessing.

653 (f) Wholesalers and manufacturers shall permit the commissioner,

654 or his authorized representatives, to enter and inspect their premises
655 and delivery vehicles, and to audit their records and written operating
656 procedures, at reasonable times and in a reasonable manner.

657 (g) Before denying, suspending, revoking or refusing to renew a
658 registration, or before issuing a letter of reprimand or placing a
659 registrant on probationary status, the commissioner shall afford the
660 applicant or registrant an opportunity for a hearing in accordance with
661 the provisions of chapter 54. Notice of such hearing may be given by
662 certified mail. The commissioner may subpoena witnesses and require
663 the production of records, papers and documents pertinent to such
664 hearing.

665 (h) No wholesaler or manufacturer shall sell any drugs except to the
666 state or any political subdivision thereof, to another manufacturer or
667 wholesaler, to any hospital recognized by the state as a general or
668 specialty hospital, to any institution having a full-time pharmacist who
669 is actively engaged in the practice of pharmacy in such institution not
670 less than thirty-five hours a week, to a chronic and convalescent
671 nursing home having a pharmacist actively engaged in the practice of
672 pharmacy based upon the ratio of one-tenth of one hour per patient
673 per week but not less than twelve hours per week, to a practicing
674 physician, podiatrist, dentist, optometrist or veterinarian or to a
675 licensed pharmacy or a store to which a permit to sell nonlegend drugs
676 has been issued as provided in section 20-624. The commissioner may
677 adopt such regulations as are necessary to administer and enforce the
678 provisions of this section.

679 (i) Any person who violates any provision of this section shall be
680 fined not more than five hundred dollars or imprisoned not more than
681 six months, or both.

682 Sec. 9. Section 20-579 of the general statutes is repealed and the
683 following is substituted in lieu thereof (*Effective July 1, 2017*):

684 (a) The commission may refuse to authorize the issuance of a
685 temporary permit to practice pharmacy, may refuse to authorize the

686 issuance or renewal of a license to practice pharmacy, a license to
687 operate a pharmacy or a registration of a pharmacy intern or pharmacy
688 technician, and may revoke, [or] suspend or place conditions on a
689 license or temporary permit to practice pharmacy, a license to operate
690 a pharmacy, or a registration of a pharmacy intern or a pharmacy
691 technician, and may assess a civil penalty of up to one thousand
692 dollars or take other action permitted in subdivision (7) of section 21a-
693 7, as amended by this act, if the applicant or holder of the license,
694 temporary permit or registration: (1) Has violated a statute or
695 regulation relating to drugs, devices or the practice of pharmacy of this
696 state, any state of the United States, the United States, the District of
697 Columbia, the Commonwealth of Puerto Rico, any territory or insular
698 possession subject to the jurisdiction of the United States or a foreign
699 jurisdiction; (2) has been convicted of violating any criminal statute
700 relating to drugs, devices or the practice of pharmacy of this state, any
701 state of the United States, the United States, the District of Columbia,
702 the Commonwealth of Puerto Rico, any territory or insular possession
703 subject to the jurisdiction of the United States or a foreign jurisdiction;
704 (3) has been disciplined by, or is the subject of pending disciplinary
705 action or an unresolved complaint before, the duly authorized
706 pharmacy disciplinary agency of any state of the United States, the
707 United States, the District of Columbia, the Commonwealth of Puerto
708 Rico, any territory or insular possession subject to the jurisdiction of
709 the United States or a foreign jurisdiction; (4) has been refused a
710 license or registration or renewal of a license or registration by any
711 state of the United States, the United States, the District of Columbia,
712 the Commonwealth of Puerto Rico, any territory or insular possession
713 subject to the jurisdiction of the United States or a foreign jurisdiction
714 based on grounds that are similar to grounds on which Connecticut
715 could refuse to issue or renew such a license or registration; (5) has
716 illegally possessed, diverted, sold or dispensed drugs or devices; (6)
717 abuses or excessively uses drugs, including alcohol; (7) has made false,
718 misleading or deceptive representations to the public or the
719 commission; (8) has maintained exclusive telephone lines to, has
720 maintained exclusive electronic communication with, or has exclusive

721 access to computers located in offices of prescribing practitioners,
722 nursing homes, clinics, hospitals or other health care facilities; (9) has
723 substituted drugs or devices except as permitted in section 20-619; (10)
724 has accepted, for return to regular stock, any drug already dispensed
725 in good faith or delivered from a pharmacy, and exposed to possible
726 and uncontrolled contamination or substitution; (11) has split fees for
727 professional services, including a discount or rebate, with a prescribing
728 practitioner or an administrator or owner of a nursing home, hospital
729 or other health care facility; (12) has entered into an agreement with a
730 prescribing practitioner or an administrator or owner of a nursing
731 home, hospital or other health care facility for the compounding or
732 dispensing of secret formula or coded prescriptions; (13) has
733 performed or been a party to a fraudulent or deceitful practice or
734 transaction; (14) has presented to the commission a diploma, license or
735 certificate illegally or fraudulently obtained, or obtained from a college
736 or school of pharmacy not approved by the commission; (15) has
737 performed incompetent or negligent work; (16) has falsified a
738 continuing education document submitted to the commission or
739 department or a certificate retained in accordance with the provisions
740 of subsection (d) of section 20-600; (17) has permitted a person not
741 licensed to practice pharmacy in this state to practice pharmacy in
742 violation of section 20-605, to use a pharmacist license or pharmacy
743 display document in violation of section 20-608, or to use words,
744 displays or symbols in violation of section 20-609; [or] (18) has failed to
745 maintain the entire pharmacy premises, its components and contents
746 in a clean, orderly and sanitary condition; (19) has failed to
747 demonstrate adherence to applicable provisions of United States
748 Pharmacopeia, Chapter 797, Pharmaceutical Compounding-Sterile
749 Preparations, as amended from time to time; or (20) has failed to
750 demonstrate adherence to applicable provisions of United States
751 Pharmacopeia, Chapter 795, Pharmaceutical Compounding-Nonsterile
752 Preparations, as amended from time to time.

753 (b) The commission may refuse to authorize the issuance of a
754 temporary permit to practice pharmacy, may refuse to authorize the

755 issuance or renewal of a license to practice pharmacy, a license to
756 operate a pharmacy or a registration of a pharmacy intern or pharmacy
757 technician, and may revoke, [or] suspend or place conditions on a
758 license or temporary permit to practice pharmacy, a license to operate
759 a pharmacy, or a registration of a pharmacy intern or a pharmacy
760 technician, or take other action permitted in subdivision (7) of section
761 21a-7, as amended by this act, if the commission determines that the
762 applicant or holder of the license, temporary permit or registration has
763 a condition including, but not limited to, physical illness or loss of skill
764 or deterioration due to the aging process, emotional disorder or mental
765 illness, abuse or excessive use of drugs or alcohol that would interfere
766 with the practice of pharmacy, operation of a pharmacy or activities as
767 a pharmacy intern or pharmacy technician, provided the commission
768 may not, in taking action against a license, temporary permit or
769 registration holder on the basis of such a condition, violate the
770 provisions of section 46a-73 or 42 USC Section 12132 of the federal
771 Americans with Disabilities Act. |

772 Sec. 10. Subdivision (13) of section 20-330 of the general statutes is
773 repealed and the following is substituted in lieu thereof (*Effective*
774 *October 1, 2017*):

775 (13) "Sheet metal work" means the onsite layout, installation,
776 erection, replacement, repair or alteration, including, but not limited
777 to, onsite testing and balancing of related life safety components,
778 environmental air, heating, ventilating and air conditioning systems by
779 manipulating, adjusting or controlling such systems for optimum
780 balance performance of any duct work [systems, both] system, ferrous,
781 [and] nonferrous or other material for ductwork systems, components,
782 devices, air louvers or accessories, in accordance with the State
783 Building Code;

784 Sec. 11. Section 20-672 of the general statutes is repealed and the
785 following is substituted in lieu thereof (*Effective July 1, 2017*):

786 (a) Any person seeking a certificate of registration as a homemaker-

877 companion agency shall apply to the Commissioner of Consumer
878 Protection, in writing, on a form provided by the commissioner. The
879 application shall include the applicant's name, residence address,
880 business address, business telephone number and such other
881 information as the commissioner may require. An applicant shall also
882 be required to submit to state and national criminal history records
883 checks in accordance with section 29-17a and to certify under oath to
884 the commissioner that: (1) Such agency complies with the
885 requirements of section 20-678 concerning employee comprehensive
886 background checks, (2) such agency provides all persons receiving
887 homemaker or companion services with a written individualized
888 contract or service plan that specifically identifies the anticipated
889 scope, type, frequency and duration of homemaker or companion
890 services provided by the agency to the person, (3) such agency
891 maintains a surety bond of not less than ten thousand dollars coverage,
892 which coverage shall include theft by an employee of such agency
893 from a person for whom homemaker or companion services are
894 provided by the agency, and (4) all records maintained by such agency
895 shall be open, at all reasonable hours, for inspection, copying or audit
896 by the commissioner.

897 (b) Each application for a certificate of registration as a homemaker-
898 companion agency shall be accompanied by a fee of three seventy-five
899 hundred dollars.

900 (c) Upon the failure by a homemaker-companion agency to comply
901 with the registration provisions of this section, the Attorney General, at
902 the request of the Commissioner of Consumer Protection, is authorized
903 to apply in the name of the state of Connecticut to the Superior Court
904 for an order temporarily or permanently restraining and enjoining a
905 homemaker-companion agency from continuing to do business in the
906 state.

907 Sec. 12. Section 21a-4 of the general statutes is repealed and the
908 following is substituted in lieu thereof (*Effective July 1, 2017*):

819 (a) The Commissioner of Consumer Protection may refund to any
820 permittee the fee paid by him for any permit issued by said
821 commissioner and returned to him prior to its use, provided
822 application for such refund shall be made not later than sixty days
823 after the effective date of such permit.

824 (b) The Commissioner of Consumer Protection may impose a fine of
825 twenty dollars on any applicant for a permit or license issued by the
826 Commissioner of Consumer Protection who issues to the
827 commissioner a check drawn on the account of such applicant in
828 payment of a permit or license fee and whose check is returned to the
829 Department of Consumer Protection as uncollectible. In addition, the
830 commissioner may require the applicant to pay to the department any
831 fees charged by a financial institution to the department as a result of
832 such returned check.

833 (c) The Commissioner of Consumer Protection may impose a fine on
834 any applicant who fails to renew a license, permit, certificate or
835 registration not later than the expiration date of such license, permit,
836 certificate or registration. The amount of the fine shall be equal to ten
837 per cent of the renewal fee but shall not be less than ten dollars or
838 more than one hundred dollars.

839 (d) Notwithstanding any other provision of the general statutes,
840 each applicant whose license has lapsed for a period longer than the
841 length of time allowing automatic reinstatement may apply for
842 reinstatement to the appropriate board. Upon receipt of such
843 application and payment of the fee, the [board] department may, at its
844 discretion, reinstate a lapsed license without examination, provided
845 such application for reinstatement is accompanied by a notarized letter
846 and supporting documentation attesting to the applicant's related
847 work experience in their occupation or profession from the time he or
848 she had let such license lapse. Such applicant, upon approval by the
849 [board] department, shall pay all back license and late fees in order for
850 such license to be reinstated.

851 (e) When a license, permit, certification or registration has lapsed for
852 a period longer than the length of time allowing automatic
853 reinstatement, or the general statutes are silent as to the period of time
854 during which reinstatement of the license, permit, certification or
855 registration is permissible, an applicant may apply for reinstatement to
856 the department. Upon receipt of such application and payment of the
857 corresponding application fee, the department may, if application was
858 made not later than three years after the date allowing automatic
859 reinstatement, reinstate the lapsed license, permit, certification or
860 registration without examination. The applicant, prior to reinstatement
861 by the department, shall pay all back license and late fees, unless the
862 applicant attests that he or she has not worked in the applicable
863 occupation or profession in this state while the license, permit,
864 certification or registration was lapsed, in which case the applicant
865 shall pay the current year's renewal fee for reinstatement. If the license,
866 permit, certification or registration lapse is three years or more, the
867 applicant shall apply for a new license, permit, certification or
868 registration.

869 Sec. 13. (NEW) (*Effective July 1, 2017*) (a) If food becomes adulterated
870 pursuant to section 21a-101 of the general statutes, the person who
871 maintained physical custody of the food at the time the food became
872 adulterated shall be liable for all costs and expenses incurred by the
873 Department of Consumer Protection in investigating, containing,
874 removing, monitoring, mitigating and disposing of such adulterated
875 food, as well as any associated legal expenses. If such adulteration was
876 caused by the discharge, spillage or uncontrolled loss of a food
877 product, the person who maintained physical custody of the food at
878 the time the food became adulterated shall be liable for all associated
879 costs and expenses of cleanup and disposal. Upon request of the
880 Commissioner of Consumer Protection, the Attorney General may
881 bring a civil action to recover all such costs and expenses.

882 (b) In accordance with sections 21a-116 and 21a-118 of the general
883 statutes, the commissioner or the commissioner's authorized agent
884 may investigate and take samples of foods. In addition to the seizure

885 powers granted to the commissioner pursuant to section 21a-96 of
886 general statutes, the commissioner or the commissioner's authorized
887 agent may seize, condemn, destroy, or in any other manner render
888 unsalable, any adulterated foods he or she deems to be poisonous,
889 deleterious to public health or otherwise unsafe.

890 (c) If the person who maintained physical custody of the food at the
891 time the food became adulterated cannot be reasonably identified or
892 contacted by the department, the commissioner may contract with a
893 third party to contain, remove and dispose of the adulterated food to
894 mitigate the impact on public health and safety.

895 Sec. 14. Subsection (a) of section 20-633b of the general statutes is
896 repealed and the following is substituted in lieu thereof (*Effective July*
897 *1, 2017*):

898 (a) As used in this section:

899 (1) "Medical order" means a written, oral or electronic order by a
900 prescribing practitioner, as defined in section 20-14c, for a drug to be
901 dispensed by a pharmacy for administration to a patient;

902 (2) "Sterile compounding pharmacy" means a pharmacy, as defined
903 in section [20-594, or] 20-571, as amended by this act, a nonresident
904 pharmacy registered pursuant to section 20-627, that dispenses or
905 compounds sterile pharmaceuticals; and

906 (3) "Sterile pharmaceutical" means any dosage form of a drug,
907 including, but not limited to, parenterals, injectables, surgical irrigants
908 and ophthalmics devoid of viable microorganisms.

909 Sec. 15. Subsection (d) of section 42-200 of the general statutes is
910 repealed and the following is substituted in lieu thereof (*Effective July*
911 *1, 2018*):

912 (d) A funeral service establishment shall maintain a copy of all
913 funeral service contracts entered into or assigned to such
914 establishment. [and a] A funeral service establishment shall also

915 maintain an electronic list of each escrow account or insurance policy
 916 established pursuant to such contracts. Such electronic list shall be
 917 maintained in an electronically readable format and shall include (1)
 918 the name and address of the escrow agent and the dates and amount of
 919 funds deposited with such agent, or the name and address of the
 920 insurance company issuing the individual or group life insurance
 921 policy, [and] (2) the name and address of the purchaser of the funeral
 922 services contract, (3) the name, address, date of birth and Social
 923 Security number of the beneficiary, and (4) the value of the contract at
 924 the time of the inception of the contract and a listing of any additional
 925 payments made pursuant to the contract. Such contracts shall be
 926 maintained by the funeral service establishment for a period of six
 927 years after the completion of the contracted services. Such
 928 establishment shall disclose such information, upon request, to the
 929 Commissioner of Public Health, the Commissioner of Consumer
 930 Protection, the Commissioner of Social Services or the Attorney
 931 General.

932 Sec. 16. Subsection (e) of section 20-417b of the general statutes is
 933 repealed and the following is substituted in lieu thereof (*Effective July*
 934 *1, 2017*):

935 (e) All certificates issued under the provisions of this chapter shall
 936 expire biennially and may be renewed by the applicant not later than
 937 six months after the expiration date of such certificate. The fee for
 938 renewal of a certificate shall be the same as charged for the original
 939 application but shall be charged on a pro rata basis, based upon the
 940 application date for such renewal."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2017</i>	21a-7
Sec. 2	<i>July 1, 2017</i>	21a-8(a)
Sec. 3	<i>July 1, 2017</i>	30-17(a)
Sec. 4	<i>July 1, 2017</i>	20-312
Sec. 5	<i>July 1, 2017</i>	21a-150f

Sec. 6	<i>July 1, 2017</i>	21a-11
Sec. 7	<i>July 1, 2017</i>	20-571
Sec. 8	<i>July 1, 2017</i>	21a-70
Sec. 9	<i>July 1, 2017</i>	20-579
Sec. 10	<i>October 1, 2017</i>	20-330(13)
Sec. 11	<i>July 1, 2017</i>	20-672
Sec. 12	<i>July 1, 2017</i>	21a-4
Sec. 13	<i>July 1, 2017</i>	New section
Sec. 14	<i>July 1, 2017</i>	20-633b(a)
Sec. 15	<i>July 1, 2018</i>	42-200(d)
Sec. 16	<i>July 1, 2017</i>	20-417b(e)